US EXECUTIVE APPROVAL FORM

CUSTOMER NAME: Bank of America PARTNER/VAD NAME:

SECTION I - Approval Requests: HQAPP Requests:

This is a request to amend the existing SLSA with Bank of America. This language has been drafted by legal to included as Amendment 4. The following are the requested changes;

- 1. Section 2.1.A.i of the Agreement shall be amended by deleting "internal data processing" in the first sentence and replacing it with "business".
 - Current language: 2.1.A.i: Rights Granted......to use the Programs solely for Client's own <delete: internal data processing, replace with "business"> operations on the Designated System or as a backup system if the Designated System is inoperative, up to any.....etc.
- 2. Insert the following at the end of Section 2.1.A.i:

"Client may allow its agents and contractors to use the Programs for such purpose, subject to the terms of this Agreement."

- 3. Section 7.25 of Amendment Three to the Agreement shall be amended by deleting "internal data processing" in the first sentence and in subsection (d) and replacing it with "business".
 - Current language: 7.25 Outsourcing. Nothing contained in this Agreement shall be contrued as prohibiting Client from outsourcing its <delete: internal data processing, replace with "business"> operations or any part thereof to a third party, provided..........(d) the third party uses the Programs only for Client's <delete: internal data processing, replace with "business"> operations in accordance with the terms of the Agreement.......etc.

TIER 1 Requests:

1.

2.

TIER 2/3 Requests:

1.

2.

Previously approved requests (include date of approval):

1.

2.

GOVERNMENT
EXHIBIT
P1094

SECTION II – Deal Summary:

| Deal Summary | | |
|---|---|--|
| Programs | (List out all programs here) | |
| License Discount | % (ebiz +%) | |
| Support Discount | % (ebiz +%) | |
| Comp & Admin Discount | | |
| Phased Implementation for Comp & Admin? | See checklist below and forward a spreadsheet to NASINFO/OGEHINFO | |
| Subset of Users | See checklist below and forward a spreadsheet to NASINFO/OGEHINFO | |
| Support Options/Holds | | |
| Price Holds | | |
| List License | | |
| List Support | | |
| List Comp & Admin | | |
| Net License | | |
| Net Support | | |
| Net Comp & Admin | | |
| Net Total Price | | |
| Price List Used | | |

| Customer History - Existing Price Holds | | |
|--|---|--|
| Existing contractual discount (price hold) | % | |
| Date of Price List for price hold | | |
| When does price hold expire? | | |
| Price hold program categories (database, | | |
| server, erp, crm, hr/payroll, app suite) | | |
| Name of Agreement if applicable | | |

SECTION III - Justification:

This request is to amend the language in the SLSA to detail the utilization of the Oracle licenses with respect to partners, agents, contractors, etc. The bank is currently engaged in many discussions for sourcing their business operations and want to make sure that all of their vendor/partner agreements are in line with their goals. Legal has reviewed and they have provided the language above.

Recommendation: (leave blank for HQAPP to fill out)

Submitted By: (fill in rep name and AVP name here)

Field RM name if submitted by iSD:

R: (leave blank for HQAPP to fill out)

C: L: A:

BP:

PLEASE NOTE THAT HQAPP WILL NOT REVIEW ANYTHING BELOW AND NOTHING BELOW

WAS CONSIDERED FOR THEIR APPROVAL. ONLY DETAILS IN THE REQUEST SECTION (SECTION I) ABOVE WERE CONSIDERED IN THE APPROVAL GRANTED.

SECTION IV – Computer and Admin Services: (Delete this section if not applicable)

SECTION V – Ordering Document Details

<u>Instructions</u> - Fill in all sections completely.

APPROVAL REQUIREMENTS - Refer to the Approval Matrix at http://esource.oraclecorp.com

PRICING REQUIREMENTS - Refer to Price List and Price List Supplement for minimums and prerequisites.

PRICING SPREADSHEET - Include a pricing spreadsheet showing all products, quantities, license types, pricing, and discounts. Indicate if discount for drafting contract differs from approved discount.

MIGRATIONS - If your deal contains a migration, you must submit a Migration Worksheet to the ELM (eBusiness License Migrations) team. Refer to http://nafo.us.oracle.com under the Contract Management tab and e-Business

Note: All business approvals & quotes are valid through the quarter they were approved, unless a formal RFP or Tender requires a longer validity period.

License Migrations header to download the spreadsheet and for additional information.

| General Information | | | |
|---|--|--|--|
| Contract requested by (insert date): After all approvals are obtained - Allow 24 hours for standard contracts and 48 hours for non- standard contracts. | | | |
| Opportunity I.D. (OSO Number): | | | |
| Is this a ship order? | Yes No | | |
| Deal Structure (indicate Direct, Pass-Through, Sublicense, or Trial License): | | | |
| Is this deal the result of a compliance issue that LMS has been involved in? | YesNo | | |
| Does deal contain new licenses with an <i>approved</i> non-supported license type (i.e. metric is not nor ever has been on Oracle's price list): | Yes (specify non-supported license type and eBusiness license type used to determine conversion) No | | |
| Quote Valid Through (insert date): | | | |
| Partner (insert name, if applicable)? | Margin or % of net license fees | | |
| VAD (insert name, if applicable)? | Margin or % of net license fees | | |
| PARTNER PAYMENT: If this is a direct deal, does it involve a Partner Referral Fee? | Yes No | | |
| If yes, specify payment type: | Applications Affiliate Fee ROP Fee (GB Use Only) | | |
| MIGRATIONS OR UPDATES: | Yes No | | |
| PREMIUM SERVICES: | Yes No | | |
| INCIDENT PACKS: | Yes No | | |

| Yes Yes |
|-----------------|
| No |
| |
| |
| Net 30 |
| Other (Specify) |
| New OLSA |
| Other (Specify) |
| |

| Customer and Administrative Information – all fields must be filled in | | |
|--|---|--|
| Customer's EXACT Legal Name: | | |
| Business Address: | | |
| City / State / Zip: | | |
| Customer Contract Admin: | | |
| Phone #: | | |
| Fax #: | | |
| E-mail ID: | | |
| | | |
| Billing Contact: | | |
| (Partner/VAD if Indirect): | | |
| Address: | | |
| City / State / Zip: | | |
| Phone #: | | |
| Fax #: | | |
| E-mail ID: | | |
| Tax Status: | Exempt (Need certificate for ship to state if not on Oracle's Tax | |
| | Exemption Log) | |
| | Non-Exempt | |
| | | |
| Shipping Contact: | | |
| Address: | | |
| City / State / Zip: | | |
| Phone #: | | |
| Fax #: | | |
| E-mail ID: | | |
| | | |
| Technical Support Contact: | | |
| Address: | | |
| City / State / Zip: | | |
| Phone #: | | |
| Fax #: | | |
| Email ID: | | |
| | | |
| Partner Name (Indirect): | | |
| Address: | | |
| City / State / Zip: | | |
| Contact Admin: | | |
| Phone #: | | |
| Fax #: | | |
| E-mail ID: | | |

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| Education (EPPC) | | |
|----------------------------------|----|--|
| Education Prepaid Credit Amount: | \$ | |
| Education Discount: | % | |
| Education Revenue: | \$ | |
| Education Sales Rep: | | |

PROCESSOR/NAMED USER PROGRAMS/COMPUTER PROGRAMS (REQUIRED INFORMATION)

Make and Operating System required for each program:

Make:

OS:

PROGRAMS:

| Applications | | | |
|--|-----|----|--|
| Will applications be modified: | Yes | No | |
| Will users be accessing modified Apps from the web: | Yes | No | |
| Have all prerequisites been included: | Yes | No | |
| Will users use Fast Forward RPM: | Yes | No | |
| Will applications be hosted: | Yes | No | |
| Indicate database that Apps will run on: | | | |
| Indicate CSI for existing prerequisite database and tools: | | | |

| Options not requiring HQAPP, Tier 1, or Tier 2 Approval | | | |
|---|--|--|--|
| (1) | | | |
| (2) | | | |
| (3) | | | |
| (4) | | | |

| Internal Administrative Information | | |
|-------------------------------------|---|--|
| Applications Sales Manager | | |
| Technology Sales Manager | | |
| Account Manager | | |
| iSD Rep | | |
| Education Sales Rep | | |
| Support Renewals Rep | | |
| Premium Support Rep | | |
| Migrations Manager | | |
| Is there a teaming agreement? | Yes (if yes, list all appropriate reps) | |
| | No | |
| Requester: | Name: | |
| | Business Telephone: | |
| | Cell Phone: | |

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